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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/263,812	03/08/1999	WILLIAM G. MILLER	1-1	2262

7590 01/02/2004

Mr. William G Miller
LOOKING GLASS CAFE
2555 Pennsylvania Avenue, N.W.
#802
Washington, DC 20037

EXAMINER

ENG, GEORGE

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 01/02/2004

22

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/263,812	MILLER ET AL.	
	Examiner George Eng	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 December 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,4,7-10,13,14,16 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1,2,4,7-10,13,14 and 16 is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) 20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/4/2003 (paper no. 21) has been entered.

Response to Amendment

2. This Office action is in response to the amendment filed 11/14/2003 (paper no. 18).

Allowable Subject Matter

3. Claims 1-2, 4, 7-10, 13-14 and 16 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to combine restaurant services with video conferencing and multimedia access for diverse customer appeal (i.e., equipped with media booths and necessary networking equipment in at least two restaurants in a different geographical locations so those one or more individuals in one restaurant can perform videoconference and dine with one or more individuals at one or more other restaurant via a network management system that links each restaurant together).

Applicant's independent claim 1 recites, *inter alia*, a restaurant videoconferencing system with a structure as defined in the specification (pages 5-12) including a number of booths in each of the first and second locations being equipped with at least one viewing screen and connected via a private network providing both video conferencing between booths in different geographic locations and multi-media access of each booth, wherein the booths in each of restaurants contain videoconferencing equipment that is part of the corresponding restaurant and which enable booths to videoconference with other booths within the restaurant videoconferencing system and are connected to a point of sale system adapted to track and charge the use of multimedia access and videoconferencing by patrons in each booth. Applicant's independent claim 1 comprises a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claim 9 recites, *inter alia*, conducting videoconferencing between user in at least two booths in different restaurant locations while offering food and beverage to the users in each booth as well as onsite technical assistance, wherein the booths in the number of restaurants are interconnected by a private videoconferencing network and contain videoconferencing equipment as part of the corresponding restaurant and which enables booths to videoconference with other booths, wherein patrons in each booth are charged for videoconferencing and services of multi-media access using a point of sale system. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

Accordingly, applicant's claims are allowed for these reasons and the reasons recited by applicant in amendments A, B, C and D (papers no. 7, 9, 15 and 18).

Art Unit: 2643

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. This application is in condition for allowance except for the following formal matters:

Claim 9 is objected to because of the following informalities: claim 9, line 13, "the phrase "and/or" should be --and-- in order to clarify the claimed limitations. Appropriate correction is required.

Claim 20 is objected to because of depending on the cancelled claim 11. Accordingly, the claim 20 has not been further treated on the merits.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

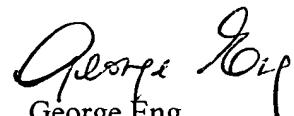
Art Unit: 2643

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



George Eng
Primary Examiner
Art Unit 2643